

April 4, 1978

LB 749

PRESIDENT: Senator Lewis, have you discussed this with the Speaker?

SENATOR F. LEWIS: Why don't I ask the Speaker. Mr. Speaker.

PRESIDENT: No, no, you go talk to him.

SENATOR F. LEWIS: Oh, walk over there.

PRESIDENT: All right. We have a very distinguished journalist with us this morning under the South balcony. Yesterday, you were all given the special supplement of the Scotts Bluff Star Herald on Senator Terry Carpenter. That supplement was put together by Rob Gustin. Rob is with his wife, Chris, under the South balcony. Would you two stand and be recognized? All right, we go then to LB 749.

CLERK: Mr. President, Senator Barnett moves to return LB 748 to Select File for specific amendment.

SENATOR BARNETT: Mr. President and members of the Legislature, I would move to return LB 748 for the specific amendment which is...I passed it out to you yesterday. It has to do with the check section starting on page 7. The County Attorneys Association and some county attorneys that wrote this section feel that the language is not specific enough at this time and it is putting back into the criminal code the language which is presently law. It is under the present system right now. Some of it was eliminated. The intent was put into the act. The intent was put into debate but the attorneys feel that it is better that we make it specific. It also allows for the language to be returned to the criminal code with regards to the \$2 charge that the county attorneys and their office have and that this payment will be made to the county treasurer and this is for the handling of checks that are bad. The businessmen feel that the county attorneys should have in the code the same language that is on the present statutes about a \$2 fee that they charge to collect these checks. So that is what this amendment is. It, also, if you will notice the amendment I passed to you yesterday, it said that in the event of a bad check, a county attorney will send this by United States mail to the person they received the bad check from notifying them that they have ten days to make up this check which is insufficient funds or just nonfunds. That is what the amendment is. It is a very simple amendment. It doesn't change anything except that it brings it more specifically in line with what we presently have with the check language. I would move that we return this bill so we can add this amendment to it.

PRESIDENT: Any further discussion? The question is, shall LB 748 be returned for this specific amendment? Please vote. Record.

CLERK: 27 ayes, 0 nays on the motion to return, Mr. President.

PRESIDENT: The bill is returned, Senator Barnett.

SENATOR BARNETT: I would move for the adoption of the amendment. I fully explained it before we moved it back.